

**FISCAL NOTE LOG--SENATE BILLS 2010**

Thursday, February 04, 2010

[Link to 2010 Legislature General Session Numbered Bills and Resolutions](#)[Link to Bills and Bill Requests by Sponsor, Subject or Committee](#)[Link to Recorded Senate Floor Debates](#)[USOE Fiscal Note Input Web Site](#)[Link to Key Legislative Dates](#)[Legislative Fiscal Analyst's Compendium of Budget Information for 2010 Public Education](#)[Link to 2010 Legislation Governor Actions](#)[Link to Weekly Schedules of House and Senate](#)[Link to Legislative Calendars](#)[Senate and House Calendar Displays](#)[Link to 2010 General Session Page](#)[Fiscal Analyst's Office Staff Budget Options FY 2010 4% Reduction](#)**New Bills Added since this Document was last Published are Highlighted in Green****New Fiscal Note Input from USOE to LFA Added since this Document was last Published is Highlighted in Blue****Bills Passed by the Senate and House are Highlighted in Pumpkin****Bills Signed by Governor or Allowed to Become Law without Signature are Highlighted in Yellow****Bills Vetoed by Governor are Highlighted in Red**

Bill Number (Appropriations in RED)	Bill Title	Other Notes and Links	Link to Bill Status	USOE Tracking in Place	Date Received	Approval Required/ Completed	Assigned to	Date Sent to LFA	USOE Fiscal Note	LFA Fiscal Note
Draft Bill 2010FL- 122/009	<a href="#">Utah Performance Assessment Test Systems for Students (U-PASS) Amendments--Howard Stephenson</a>		No		19-Nov-09		Randy	24-Nov-09	The bill eliminates the NRT requirement beginning with FY 2011, but the current NRT contract ends with FY 2010, and no money has been budgeted to establish a new contract with an NRT provider in FY 2011 or beyond, so there is no actual money to be saved.	
Draft Bill 2010FL- 0281/002	<a href="#">PROTECTED: School Property Tax Equalization Revisions--Karen Morgan</a>		No		16-Dec-09		Cathy	16-Dec-09	This bill will allow school districts in Salt Lake County to keep all of their property tax revenue generated within their boundaries rather than implementing an additional tax to recover revenue distributed to other areas outside of the school district. Residents of the contributing school districts wouldn't have to pay for services outside of their school district's boundaries. In addition, the receiving school district (Jordan) will not receive that additional revenue from the other school districts for capital outlay expenditures. The elimination of this 0.0006 tax could reduce property tax bills, depending on the actions of all taxing entities in each school district's jurisdiction.	
S.J.R. 2	<a href="#">Joint Resolution on Combating and Reducing Gang Activity-- Luz Robles</a>		Yes						None Requested	<a href="#">Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 13	<a href="#">State Construction Contracts and Drug and Alcohol Testing-- Karen Mayne</a>		Yes						None Requested	<a href="#">Enactment of this bill will not require additional appropriations. Contractors not already providing drug and alcohol tests required by this bill may pass on the costs of administering those tests to state construction projects. The impact at this time cannot be quantified. Businesses contracting with the State for construction projects that do not currently administer drug and alcohol tests required by this bill may incur additional costs. This bill likely will not result in direct, measurable costs and/or benefits for individuals or local governments.</a>
S.B. 14	<a href="#">Building and Construction Projects--Technical Corrections--Mark B. Madsen</a>		Yes						None Requested	<a href="#">Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 16	<a href="#">Utah Performance Assessment Test Systems for Students (U-PASS) Amendments--Sen Howard Stephenson</a>		Yes		14-Dec-09		Randy	14-Dec-09	<a href="#">The bill eliminates the NRT requirement beginning with FY 2011, but the current NRT contract ends with FY 2010, and no money has been budgeted to establish a new contract with an NRT provider in FY 2011 or beyond, so there is no actual money to be saved.</a>	<a href="#">This bill eliminates requirements that in-turn save \$200,000 in on-going Uniform School Funds appropriations at the State Office of Education. Districts and charter schools may have some additional costs for computer adaptive testing if they opt to participate.</a>
S.B. 18	<a href="#">Election Modifications--Peter C. Knudson</a>		Yes		16-Dec-09		Cathy	17-Dec-09	<a href="#">Current practice implies that a county clerk and/or municipal clerk should serve as the election officer nor does it give the clerk any latitude. By changing the statute to say contracted with, if the county clerk and/or municipal clerk does not want to hold the election and pay for it, the costs would be the responsibility of the school district.</a>	<a href="#">Enactment of this bill will not require additional appropriations. School districts holding bond elections independent of other elections may have to pay the costs. Individuals and businesses likely will not see direct, measurable costs and/or benefits.</a>

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S.B. 20		<a href="#">Local District Amendments-- Dennis E. Stowell</a>		Yes						None Requested	<a href="#">Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 22		<a href="#">Notary Public Amendments-- Peter C. Knudson</a>		Yes						None Requested	<a href="#">Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 24		<a href="#">Land Exchange Distribution Account--Dennis E. Stowell</a>		Yes						None Requested	<a href="#">Enactment of this bill will divert approximately \$100,000 of Land Exchange Restricted Funds from the Permanent Community Impact Fund to the Utah Geological Survey. This bill likely will not result in direct, measurable costs and/or benefits for individual</a>
S.B. 24 S1		<a href="#">Land Exchange Distribution Account--Dennis E. Stowell</a>		Yes						None Requested	<a href="#">Enactment of this bill will divert approximately \$133,300 of Land Exchange Restricted Funds from the Permanent Community Impact Fund to the Utah Geological Survey. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 31		<a href="#">Administrative Rules Reauthorization-- Howard A. Stephenson</a>		Yes		14-Jan-10		Emily	15-Jan-10	<a href="#">This bill will not require additional appropriations nor will it have a measurable fiscal impact on USOE, LEAs, or individuals.</a>	<a href="#">Enactment of this bill will not require additional appropriations. Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 32		<a href="#">Rainwater Harvesting--Ben C. Ferry</a>		Yes						None Requested	<a href="#">Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 40		<a href="#">Cigarette and Tobacco Tax Amendments--Allen M. Christensen</a>		Yes						None Requested	<a href="#">Enactment of this bill increases revenue to the Permanent State Trust Fund by \$40,300,000 in FY 2011 and \$53,800,000 in FY 2012. Business revenues will decrease by \$63,100,000 in FY 2011 and \$50,500,000 in FY 2012. Individual tobacco costs will increase \$40,300,000 in FY 2011 and \$53,800,000 in FY 2012. Local government revenues may increase.</a>
S.B. 42		<a href="#">Retirement Eligibility Modifications--Daniel R. Liljenquist</a>		Yes						None Requested	<a href="#">Enactment of this bill will cause retirement contribution rates to decrease 0.92 percentage points for all current employees covered by the contributory and noncontributory retirement plans. Additionally, this bill will decrease by 1.32 percentage points the contribution rates for employees covered by the Public Safety Contributory system and by 1.44 percentage points for employees covered by the Public Safety Noncontributory system. The bill will also decrease rates for the Firefighters Retirement System by 0.76 percentage points. Such rate reductions will result in a savings of approximately \$30 million distributed among all state agencies and higher education. This bill likely will not result in direct, measurable costs and/or benefits for businesses. This bill will affect local governments, whose retirement rates would decrease by 0.80 percentage points for the contributory and con-contributory retirement systems. Additionally, local governments will experience decreased contribution rates for Firefighters Retirement System between 0.69 and 0.76 percentage points. Public Safety Contributory and Noncontributory systems would experience decreased rates between 1.35 and 1.62 percentage points. Individuals may be</a>

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S.B. 43		<a href="#">Post-Retirement Employment Benefits--Daniel R. Liljenquist</a>		Yes						None Requested	Enactment of this bill will increase retirement contribution rates by 0.23 percentage points for employees covered by the Public Safety Contributory system and by 0.27 percentage points for employees covered by the Public Safety Noncontributory system. It will also increase the Firefighters Retirement System by 1.37 percentage points and the Judges Retirement system by 1.45 percentage points. This will require an appropriation of approximately \$609,000 distributed among state agencies. The immediate increases in contribution rates come from removing maximum allowances. Over time there will be a net savings to the retirement system for individuals that work longer and gain additional service credit. Savings to the state may be as high as \$10.5 million depending on retirement patterns. This bill likely will not result in direct, measurable costs and/or benefits for businesses. Local governments will experience increased contribution rates for Firefighters Retirement System between 0.64 and 1.37 percentage points. Public Safety Contributory and Noncontributory systems would experience increased rates between 0.15 and 0.60 percentage points. Individuals may be impacted due to the proposed change in statute.
S.B. 46		<a href="#">Utah Child Care Licensing Amendments--Ross I. Romero</a>		Yes		25-Jan-10		Emily	27-Jan-10	This bill will not require additional appropriations nor will it have a measurable fiscal impact on USOE, LEAs, or individuals. Organizations identified in lines 66-69 will be exempt from the provisions of the Utah Child Care Licensing Act. Fees for criminal background checks can be approximately \$89 per individual. It is unclear how many individuals will be affected by the bill.	This legislation will save the state \$13,100 total funds through fewer child care facility inspections and reduce revenues to the state by \$1,800 from reduced child care licensing fees.About thirty summer camp businesses will no longer be required to be required to be state-licensed for child care. This bill likely will not result in direct, measurable costs and/or benefits for individuals, or local governments.
S.B. 49		<a href="#">Vending Machines in Public Schools--Patricia W. Jones</a>		Yes		27-Jan-10		Randy	1-Feb-10	The bill "establishes standards for the beverage content of vending machines in public schools," but the cost to the state to promulgate the standards will be negligible.There is limited available empirical evidence (much of which is anecdotal) on the financial impact of a policy change of this nature. Revenue neutral at the elementary and middle school level, and perhaps a decrease in revenue at the high school level. However, unlike systemic nutritional changes discussed in the literature, which produce mixed outcomes (the reasons for which have not been explicated), this bill allows high schools to offer diet versions of soda, which may mitigate loss in sales. The concern is that the major source of principals' discretionary revenue for high school activities (namely, vending machine profits) will be reduced.	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
S.B. 49 S1		<a href="#">Vending Machines in Public Schools--Patricia W. Jones</a>		Yes		1-Feb-10		Randy	1-Feb-10	The bill "establishes standards for the [beverage and nonbeverage] content of vending machines in public schools," but the cost to the state to promulgate the standards will be negligible. The beverage part is identical to the original bill; the nonbeverage part is new, but the probable results are similar. There is limited available empirical evidence (much of which is anecdotal) on the financial impact of a policy change of this nature. USOE, CNP has never been tasked with collecting vending machine data, and it does not have jurisdiction over school use of vending machines outside of areas where federally subsidized school meals are served. Revenue neutral at the elementary and middle school level, but perhaps a decrease in revenue at the high school level. However, unlike systemic nutritional changes discussed in the literature, which produce mixed behavioral and health outcomes, this bill still allows high schools to offer arguably less than ideal foods (e.g., diet soda, dried fruit), which may mitigate loss in sales. In any case, the concern is that the major source of principals' discretionary revenue for high school activities (namely, vending machine profits) will be reduced.	Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
S.B. 54		<a href="#">Health Education Amendments--Stephen H. Urquhart</a>		Yes		29-Jan-10		Emily	2-Feb-10	The bill directs the SBE to provide inservice training and to contract with a qualified individual or entity to develop and disseminate the reproductive health education inservice program. The cost of doing so would be \$165,000. School districts and charter schools are directed to provide inservice training and written materials;it is unclear how much this would cost the LEAs.	

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S.B. 55		<a href="#">Authorization of Charter Schools by Higher Education Institutions--J. Stuart Adams</a>		Yes		29-Jan-10		Randy	1-Feb-10	<a href="#">The bill is only permissive, extending the types of entities allowed to authorize charter schools to include institutions of higher education (IHE) through their respective boards of trustees. However, the bill does create an interesting precedent by allowing the IHE to claim a (very small) portion of state funds as an "annual fee" for "oversight of and technical assistance to the charter school." Presumably, the services of the USOE will not be needed beyond final approval of the charter by the SBE, expect for routine collection of data, etc.In reality, if the bill results in the establishment of charter schools that would not have otherwise come into existence, the workload of the USOE in the actual provision of technical assistance will increase, since IHEs lack expertise in the myriad legal requirements and professional skill sets necessary to run a public school.</a>	
S.B. 56		<a href="#">School Reporting Amendments--Karen W. Morgan</a>		Yes		1-Feb-10		Randy	1-Feb-10	<a href="#">The bill eliminates reporting of the student-adult ratio, but otherwise only formalizes current student-teacher ratio reporting, and specifies constraints on defining average class size that will improve the quality of the statistics but will not introduce any additional burden of reporting. However, there are problems with some of the technical changes. Line 78 is modified to explicitly include charter schools in accounting for revenue by source, but Line 79 is modified to emphasize their exemption from accounting for expenditures (or, in other words, what they do with the money). Accounting for expenditures is fundamental to "accountability" in any sense of the word for a publicly supported organization. This is a breathtakingly remarkable omission for a state that prides itself on fiscal responsibility and transparency. SB 16 eliminates the norm-referenced testing that is the subject of Lines 92-93. Perhaps the two bills should be coordinated to eliminate the inconsistency that will occur if SB 16 passes. Lines 134-135 are modified to read "require all school districts and schools to comply with the data collection and management procedures established under Subsection (3)(e)." Since charter schools are schools, presumably they are implied and must also comply, but, in light of Lines 78-79, consideration should be given to making that implication explicit.</a>	
S.B. 57		<a href="#">Local School Board Budget Procedures-- Dennis E. Stowell</a>		Yes		1-Feb-10		Von	2-Feb-10	<a href="#">This bill will increase the advertising requirement for a school district boards of education budget hearings. The bill increases the places a budget must be noticed before adoption by local school boards: it also requires posting of the budget on the district's website prior to adoption and on the state website prior to a budget hearing.</a>	
S.B. 59		<a href="#">At-Risk Student Provisions-- Luz Robles</a>	<a href="#">This bill is similar to legislation in a previous year: SB0074 2009 General Session: http://le.utah.gov/~2009/bills/sbillint/sb0074.pdf</a>	Yes		3-Feb-10		Randy			



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S.B. 77		<a href="#">School District Leave Policies--Margaret Dayton</a>		Yes		20-Jan-10		Emily	21-Jan-10	<a href="#">The bill prohibits a local school board from granting paid association leave and requires reimbursement for the costs of employees who are on unpaid association leave. According to Courtney White at the UEA, current board policies regarding paid and unpaid association leave vary among school districts. Some, but not all, currently grant paid association leave. The reimbursement to school districts for costs of an employee will be approximately \$351 per day. This is calculated by dividing the state median teacher salary/benefits for fiscal year 2009 (\$63,198) by 180 school days. UEA is concerned that "districts would experience additional costs if association leave time was not allowed because of the wok done on behalf of the district by education association members. Districts would accrue additional staffing costs as a result of not being able to rely on association members for committee work, HR matters, etc." Individual employees may be required to reimburse the school district for costs associated with their unpaid association leave. This cost could be approximately \$351 per day.</a>	<a href="#">Enactment of this bill will not require additional appropriations. School districts that currently pay association leave time may accrue a savings from reimbursement provisions outlined in this bill. Employees, associations or unions currently benefiting from paid association leave time may incur additional costs.</a>
S.B. 85		<a href="#">Utah Construction Trades Licensing Act Amendments--Scott K. Jenkins</a>		Yes						None Requested	<a href="#">Enactment of this bill will not require additional appropriations. Some people may no longer be exempt from licensure, and would need to qualify and apply for licensure if they decide to continue in this work.</a>
S.B. 87		<a href="#">School Property Tax Equalization Revisions--Gene Davis</a>	<a href="#">Link to Data supporting USOE Fiscal Note</a>	Yes		7-Jan-10		Cathy	13-Jan-10	<a href="#">There would be different impacts on school districts in Salt Lake County. The first impact would allow all districts to keep all of their property tax revenue generated in their boundaries rather than implementing an additional tax and distributing those funds to other areas outside of the school district. Residents of the school district wouldn't have to pay for services outside of their school district's boundaries. The second impact would be on the receiving school districts (Jordan School District in FY10 and Jordan and Granite School Districts in FY11) in that they would not receive that additional revenue from the other school districts for capital outlay expenditures. \$10,766,028 will be redistributed to Jordan School District in FY10; nearly \$7 million is redistributed to Jordan and Granite school districts in FY11.</a>	<a href="#">Enactment of this bill will not require additional appropriations. By eliminating provisions for a county-wide pool of capital outlay property tax revenue, enactment of this bill may increase or decrease the amount of capital outlay property tax revenue a school district receives in a county of the first class. Depending upon the actions taken by the local school board, revenue to certain school districts may increase by \$11,280,000 in FY 2011 and \$8,600,000 in FY 2012, whereas revenue to certain school districts may decrease by \$11,280,000 in FY 2011 and \$8,600,000 in FY 2012. Also depending upon the actions of the local school board, individuals may experience a property tax increase or decrease.</a>
S.B. 89		<a href="#">Legal Notice Amendments--Stephen H. Urquhart</a>		Yes						None Requested	<a href="#">Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 89 S1		<a href="#">Legal Notice Amendments--Stephen H. Urquhart</a>	<a href="#">This bill is similar to legislation in a previous year: SB0208 2009 General Session. http://le.utah.gov/~2009/bills/sbillint/sb0208.pdf</a>	No		1-Feb-10		Von	3-Feb-10	<a href="#">The bill changes notice requirements to be posted on the public notice web-site which were previously noticed in the newspaper. Specifically two sections are changed: (1) the section on changing compensation for board members and (2) the section on notices of boundary changes. Since the notices are already noticed in the paper posting it on the web-site would not create additional costs; school districts will need to make dual notifications instead of a single notification in some situations.</a>	
S.B. 94		<a href="#">Supplemental Benefit Amendments for Noncontributory Public Employees--Daniel R. Lijenquist</a>		Yes						None Requested	<a href="#">Enactment of this bill would yield on-going savings of approximately \$23,881,800 from various funds. Of that savings, \$19,182,800 is in the General and Education Funds. This bill likely will not result in direct, measurable costs and/or benefits for businesses or local governments. Some individuals may be impacted due to this change the proposed statute.</a>

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S.B. 104		<a href="#">Renewable Energy Modifications--Stephen H. Urquhart</a>		Yes		26-Jan-10		Jenefer	1-Feb-10	<a href="#">Modifications to the bill add compressed air taken from compressed air energy storage to the list of acceptable renewable energy sources, if the energy used to compress the air comes from a renewable energy source.</a>	<a href="#">Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 110		<a href="#">Revisor's Statute--Margaret Dayton</a>		Yes		27-Jan-10		Jenefer	28-Jan-10	<a href="#">Modifications to the bill are changes to language are generally for clarification and do not change current legislation fiscally.</a>	<a href="#">Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>
S.B. 119		<a href="#">Special Elections Modifications-- Howard A. Stephenson</a>	This bill limits the date of special elections called by school districts to the first Tuesday after the first Monday in November for a bond or debt issue, a voted leeway program, an initiative, and a referendum.	Yes						None Requested	<a href="#">Enactment of this bill will not require additional appropriations. This bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.</a>

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